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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,571	08/29/2001	Assaf Henkin	KABAP003	2541
22434	7590	10/15/2007	EXAMINER	
BEYER WEAVER LLP			BOVEJA, NAMRATA	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/943,571	<b>Applicant(s)</b> HENKIN ET AL.	
	<b>Examiner</b> Namrata Boveja	<b>Art Unit</b> 3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 August 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) 29-43 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2001 and 17 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____  |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :7/19/02, 7/1/05, 2/26/07, 6/27/07, 9/4/07.

### DETAILED ACTION

1. This office action is in response to communication filed on 08/30/2007.
2. Applicant has withdrawn claims 29-43 from consideration without traverse, and claims 1-28 are presented for examination.

#### **Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 7, 8, 11, 13-17, 22, 23, 26, and 28 are rejected under 102(e) as being anticipated by Milic-Frayling et al. (Patent Number 6,968,332 hereinafter Milic).

In reference to claims 1, 15, and 16, Milic teaches a method, computer program, and system for implementing an information distribution campaign to end users of a data network, the data network including at least one server system associated with a campaign provider, and including at least one client system associated with an end user, the method comprising: selecting keywords relating a first information distribution campaign (column 7, lines 4-10); generating campaign information files which include the selected keywords (column 8, lines 1-44); transmitting the campaign information files to the client system (column 8, lines 1-8 and 45-67); selecting, at the client system, using the campaign information, specific context of a first document to be marked up,

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wherein at least a portion of the first document is displayed on the client system (column 9, lines 4-62); and performing, at the client computer system, markup operations on at least a portion of said selected specific context (column 8, lines 26-44, column 9, lines 4-6 and lines 57 to column 10, lines 10, column 10, lines 42-47, and column 13, lines 16-50).

4. In reference to claims 2 and 17, Milic teaches the method and system wherein at least a portion of the first document is stored locally at the client system (column 9, lines 42-61).

5. In reference to claims 7 and 22, Milic teaches the method and system wherein the markup operations result in marked up document context, which has a visual appearance that different than its initial parsed appearance (abstract, col. 2 lines 54-64, col. 3 lines 41-48, col. 8 lines 13-56, col. 10 lines 42-47, and col. 11 lines 33-37).

6. In reference to claims 8 and 23, Milic teaches the method and system wherein the marked up document context includes a link based on information included in the at least one update file (i.e. based on list of keywords) (col. 8 lines 1-44).

7. In reference to claims 11 and 26, Milic teaches the method and system wherein the first document corresponds to a web page retrieved from a web site (col. 8 lines 1-44).

8. In reference to claims 13 and 28, Milic teaches the method and system further comprising displaying at least a portion of the first document to the end user via a browser application (col. 8 lines 1-44).

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9. In reference to claim 14, Milic teaches the method wherein the generating of the campaign information files is implemented at the server system (col. 8 lines 1-8 and col. 9 lines 57-61)

**Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 3-6, 9, 10, 18-21, 24, and 25 are rejected under U.S.C. 103(a) as being unpatentable over Milic in view of Soulanille et al. (Patent Number 7,110,993 hereinafter Soulanille).

In reference to claims 3 and 18, Milic does not teach the method and system wherein the first information distribution campaign corresponds to an advertising campaign associated with a first advertiser.

Soulanille teaches the method and system wherein the first information distribution campaign corresponds to an advertising campaign associated with a first advertiser (i.e. advertisers determine which ads to show the users based on specifying keywords that are associated with a given ad) (col. 8 lines 13-15). It would have been obvious to modify Milic so that the first information distribution campaign corresponds to an advertising campaign associated with a first advertiser, to enable users who frequently search for commercial content on the web such as a specific book or product the user is interested in buying to be presented to the users.

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11. In reference to claims 4, 10, 19, and 25, Milic does not teach the method and system wherein the selection of the keywords is performed by the first advertiser.

Soulanille teaches the method wherein the selection of the keywords is performed by the first advertiser (col. 8 lines 13-15). It would have been obvious to modify Milic so that the selection of the keywords is performed by the first advertiser, to enable the search engines to generate advertising revenues from the advertisers by including their advertisements among the generated results.

12. In reference to claims 5 and 20, Milic teaches the method and system of marking up keywords on the client system (column 8, lines 26-44, column 9, lines 4-6 and lines 57 to column 10, lines 10, column 10, lines 42-47, and column 13, lines 16-50).

Milic is silent about charging the first advertiser for clicks that the user has performed on keywords. Soulanille teaches charging the first advertiser for clicks that the user has performed on keywords (col. 8 lines 30-37). It would have been obvious to modify Milic to charge the first advertiser for clicks that user has performed on keywords to enable the search engine to generate advertising revenues.

13. In reference to claims 6 and 21, Milic does not teach the method and system wherein the first advertiser is charged on a cost-per-click basis. Soulanille teaches the method and system wherein the first advertiser is charged on a cost-per-click basis (col. 8 lines 54-58). It would have been obvious to modify Milic so that the first advertiser is charged on a cost-per-click basis, to enable the search engines to generate advertising revenues from the advertisers by including their advertisements among the generated results and charging them accordingly.

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14. In reference to claims 9 and 24, Milic teaches the method and system of marking up document context corresponding to keywords (column 8, lines 26-44, column 9, lines 4-6 and lines 57 to column 10, lines 10, column 10, lines 42-47, and column 13, lines 16-50). Milic does not teach the keywords being selected by a campaign provider.

Soulanille teaches the keywords being selected by a campaign provider (col. 8 lines 13-15). It would have been obvious to modify Milic so that the selection of the keywords is performed by a campaign provider such as an advertiser, to enable the search engines to generate advertising revenues from the advertisers by including their advertisements among the generated results.

15. Claims 12 and 27 are rejected under U.S.C. 103(a) as being unpatentable over Milic in view of Official Notice.

In reference to claims 12 and 27, Milic teaches the method and system wherein the first document corresponds to a web page retrieved from a web site (col. 8 lines 1-44). Milic does not teach the first document corresponding to a frame in the web page retrieved from a web site. Official Notice is taken that it is old and well known to have a first document corresponding to a frame in the web page retrieved from a web site. For example, many websites are designed with frames, and the content contained within each frame can form a document. It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to include the first document corresponding to a frame in the web page retrieved from a web site to enable the users to retrieve searched content that may be contained in the frames on a given website.



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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namrata (Pinky) Boveja whose telephone number is 571-272-8105. The examiner can normally be reached on Mon-Fri, 9:00 am to 5:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on 571-272-6724. The **Central FAX** number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 1866-217-9197 (toll-free).

NB

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October 1<sup>st</sup>, 2007

  
RETTA YEHDEGA  
PRIMARY EXAMINER